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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(Trenton Vicinage)**

LILY HAGUE, an individual,)
SECOND AMENDMENT FOUNDATION,)
INC., NEW JERSEY FIREARMS)
OWNERS SYNDICATE,)

Case No. 3:25-cv-08826-RK-RLS

Plaintiffs,)

Vs.)

Civil Action

PHIL MURPHY, in his official capacity;)
MATTHEW J. PLATKIN, in his official)
Capacity; PATRICK J. CALLAHAN, in his)
Official capacity; RAYMOND S.)
SANTIAGO, in his official capacity;)
GEORGE BAUMANN, in his official)
Capacity; PAMELA BONDI, in her)
Official capacity;)

ANSWER, SEPARATE DEFENSES,
and DEMAND FOR TRIAL BY
JURY ON BEHALF OF
DEFENDANT GEORGE BAUMANN

Defendants.)

Defendant, George Baumann, in his office capacity as the Chief of Police for the Township of Freehold, County of Monmouth, State of New Jersey, by way of Answer to the Complaint, alleges and states as follows:

1. Admit as to this Defendant and lack sufficient knowledge or information to form a belief as to the truth of the balance of the allegations and leave Plaintiff to her proofs.

2. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

3. This is not an allegation but legal argument to which no response is required.

4. This is not an allegation but legal argument to which no response is required.

5. This is not an allegation but legal argument to which no response is required.

6. This is not an allegation but legal argument to which no response is required.

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11. This is not an allegation but legal argument to which no response is required.

12. This is not an allegation but legal argument to which no response is required.

13. This is not an allegation but legal argument to which no response is required.

14. This is not an allegation but legal argument to which no response is required.

15. This is not an allegation but legal argument to which no response is required.

16. Deny.

JURISDICTION and VENUE

17. Defendant leaves Plaintiff to her proofs.

PARTIES

18. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

19. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

20. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

21. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

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27. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

28. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

29. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

30. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

31. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

32. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

33. This allegation is not directed towards this Defendant, and therefore, no answer is required.

34. This allegation is not directed towards this Defendant, and therefore, no answer is required.

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51. This allegation is not directed towards this Defendant, and therefore, no answer is required.

52. This allegation is not directed towards this Defendant, and therefore, no answer is required.

53. Admit.

54. Admit.

55. Admit.

56. Admit.

57. This allegation is not directed towards this Defendant, and therefore, no answer is required.

58. This allegation is not directed towards this Defendant, and therefore, no answer is required.

AS TO ALLEGATIONS COMMON TO ALL COUNTS

59. This is not an allegation but legal argument to which no response is required.

60. This is not an allegation but legal argument to which no response is required.

61. This is not an allegation but legal argument to which no response is required.

62. This is not an allegation but legal argument to which no response is required.

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- 71. This is not an allegation but legal argument to which no response is required.
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- 73. This is not an allegation but legal argument to which no response is required.
- 74. This is not an allegation but legal argument to which no response is required.

AS TO LEGAL FRAMEWORK

- 75. This is not an allegation but legal argument to which no response is required.
- 76. This is not an allegation but legal argument to which no response is required.
- 77. This is not an allegation but legal argument to which no response is required.
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95. This is not an allegation but legal argument to which no response is required.

96. This is not an allegation but legal argument to which no response is required.

97. This is not an allegation but legal argument to which no response is required.

AS TO COUNT ONE

Sec. 1983 for Violation of Second and Fourteenth Amendment

98. Defendant repeats each and every answer to the allegations above and makes the same a part hereof as if set forth at length herein.

99. This is not an allegation but legal argument to which no response is required.

100. This is not an allegation but legal argument to which no response is required.

101. This is not an allegation but legal argument to which no response is required.

102. This is not an allegation but legal argument to which no response is required.

103. This is not an allegation but legal argument to which no response is required.

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107. This is not an allegation but legal argument to which no response is required.

108. This is not an allegation but legal argument to which no response is required.

109. This is not an allegation but legal argument to which no response is required.

110. This is not an allegation but legal argument to which no response is required.

111. This is not an allegation but legal argument to which no response is required.

112. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

113. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

114. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

115. This is not an allegation but legal argument to which no response is required.

116. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations and leave Plaintiff to her proofs.

WHEREFORE, Defendant demands judgment dismissing Plaintiff's Complaint with prejudice and for costs of suit.

**AS TO COUNT TWO
Violation of Second Amendment**

117. Defendant repeats each and every answer to the allegations above and makes the same a part hereof as if set forth at length herein.

118. This allegation is not directed towards this Defendant, and therefore, no answer is required.

119. This allegation is not directed towards this Defendant, and therefore, no answer is required.

120. This allegation is not directed towards this Defendant, and therefore, no answer is required.

121. This allegation is not directed towards this Defendant, and therefore, no answer is required.

122. This allegation is not directed towards this Defendant, and therefore, no answer is required.

123. This allegation is not directed towards this Defendant, and therefore, no answer is required.

124. This allegation is not directed towards this Defendant, and therefore, no answer is required.

125. This allegation is not directed towards this Defendant, and therefore, no answer is required.

WHEREFORE, Defendant demands judgment dismissing Plaintiff's Complaint with prejudice and for costs of suit.

DEFENSES

1. Plaintiff's complaint fails to state a cause of action upon which relief may be granted.

2. Pursuant to Federal Rules of Civil Procedure 12, the cause of action as stated is frivolous and these defendants will seek those sanctions allowed by law.

3. Defendant denies the existence of or breach of any duty and further deny the existence of or breach of any contractual obligation, express or implied.

4. This defendant is guilty of no intentional misconduct which proximately caused any injury to plaintiff.

5. Plaintiff's claims are barred by laches.

6. Plaintiff's claims are barred by estoppel.

7. Defendant asserts the applicability of the provisions of N.J.S.A. 59:2-1, et seq. as to the immunities available to the public entity and/or public employee.

8. Defendant asserts the applicability of the provisions of N.J.S.A. 59:3-1, et seq. as to the immunities available to public employees.

9. Defendant asserts the applicability of the provisions of N.J.S.A. 59:5-1, et seq. as to the immunities available for police activities.

10. Defendant asserts the applicability of the provisions of N.J.S.A. 59:8-1, et seq. regarding compliance with the requirements to file a claim against public entities.

11. Defendant asserts the applicability of the provisions of N.J.S.A. 59:9-1, et seq. concerning the conditions of suit and judgment.

12. Any injury occurring to plaintiff was the direct and proximate result of the plaintiff's own conduct.

13. This defendant, if involved at all, acted within the scope of his authority and in good faith in the performance of his duties.

14. This defendant, if involved at all, acted reasonably and properly under the circumstances.

15. No malicious intent of causing a deprivation of plaintiff's civil rights and/or constitutional rights has been factually set out against these defendants.

16. Plaintiff has failed to show approval or acquiescence of defendant of the action as alleged.

17. Defendant was carrying out their duties as officials and employees of the municipal entity and are entitled to qualified immunity under the statutes.

18. This defendant denies the allegations of improper conduct as set forth in plaintiff's Complaint; however, the alleged misconduct does not rise to the level of a constitutional violation.

19. This defendant acted in good faith and without malicious intent to deprive plaintiff of constitutional rights.

20. The answering defendants had no knowledge of the actions by co-defendants.

21. The actions and/or inactions of the answering defendant do not rise to the level of deliberate indifference to the plaintiff's constitutional rights.

22. The answering defendant does not have in place any constitutionally depriving policies or customs.

23. This suit is barred by the Statute of Limitations, N.J.S.A. 2A:14-1, et seq.

24. This Court lacks jurisdiction over the subject matter of this litigation.

25. Plaintiff failed to exhaust its administrative remedies.

26. Plaintiff has not suffered any damages.

27. Plaintiff lacks standing.

28. Defendants are entitled to qualified and/or absolute immunity.

29. Defendants reserve the right to raise additional defenses as may be deemed appropriate through discovery.

CHAMLIN ULIANO & WALSH
Attorneys for Defendant George Baumann

By: /s/ Charles J. Uliano, Esq.
CHARLES J. ULIANO, ESQ.

DEMAND FOR JURY TRIAL

Demand is hereby made for a trial by jury as to all issues.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Federal Rule of Civil Procedure 38(b), Charles J. Uliano, Esquire is hereby designated as Trial Counsel for defendants in the above-captioned matter.

LOCAL CIVIL RULE 11.2 VERIFICATION

Pursuant to Local Rule 11.2, Defendant hereby verifies that, to his knowledge, the matter in controversy is neither the subject of any other action pending in any court, nor of any pending arbitration or administrative proceeding.

CHAMLIN ULIANO & WALSH
Attorneys for Defendant George Baumann

By: /s/ Charles J. Uliano, Esq.
CHARLES J. ULIANO, ESQ.